

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on the
Commission's Own Motion Into Competition for
Local Exchange Service.

Rulemaking 95-04-043
(Filed April 26, 1995)

Order Instituting Investigation on the
Commission's Own Motion Into Competition for
Local Exchange Service.

Investigation 95-04-044
(Filed April 26, 1995)

**ADMINISTRATIVE LAW JUDGE'S RULING ON MOTION OF WILLIAMS
COMMUNICATIONS, LLC (U-6146-C) FOR A SPECIAL
APPEARANCE/LIMITED PARTICIPATION**

Williams Communications, LLC (U-6146-C) (Williams) filed a motion for leave to make a special appearance in the above-captioned proceeding for the specific and limited purpose of responding to the Petition for Modification/Clarification of Decision 98-10-058 filed by the City of Riverside (Riverside Petition). Williams does not seek party status in this proceeding.

Williams is a nondominant interexchange carrier (NDIEC) in California, but is not a competitive local carrier (CLC). As a result, Williams is not a party or a respondent to Rulemaking 95-04-043/Investigation 95-04-044. Williams states that since it is not a CLC, it has no interest in intervening (much less any reason to intervene) as a party to the Commission's local competition proceedings. Accordingly, Williams does not believe that it is necessary or desirable for it to become a party to the proceeding. Williams nonetheless believes it is necessary

to make a special appearance in this proceeding in order respond to the Riverside Petition to protect its interests and reputation before the Commission.

Discussion

Williams' motion would permit it to participate in this proceeding on matters relating to the City's Petition, but would preserve its status as a "nonparty." Thus, Williams would not otherwise be bound by the Commission's rules governing parties' conduct, including the reporting of ex parte communications.

If Williams seeks to participate in the proceeding, due process dictates that it be subject to the same constraints and requirements as other parties of record. Williams' motion shall be granted to the following extent. Williams shall be designated as a party for the limited purpose of matters in this proceeding relating to the Petition for Modification filed by the City of Riverside. As a party, Williams shall thus be subject to the same requirements under the Commission's rules as apply to any other party, including ex parte reporting requirements. At whatever point in time that Williams deems appropriate, it may submit a request to the Commission's Process Office to have its name removed as a party to this proceeding.

IT IS RULED that:

1. Williams Communications, LLC shall be made a party for the limited purpose of matters in this proceeding relating to the Petition for Modification filed by the City of Riverside.
2. Williams' concurrently filed response to the Petition shall be accepted for filing.
3. Williams shall be subject to the same requirements under the Commission's rules as apply to any other party, including ex parte reporting requirements.

4. At whatever point in time that Williams deems appropriate, it may submit a request to the Commission's Process Office to have its name removed as a party to this proceeding.

Dated May 22, 2002, at San Francisco, California.

/s/ THOMAS R. PULSIFER

Thomas R. Pulsifer
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail, and by electronic mail, to the parties to which an electronic mail address has been provided, this day served a true copy of the original attached Administrative Law Judge's Ruling on Motion of Williams Communications, LLC (U-6146-C) for a Special Appearance/Limited Participation on all parties of record in this proceeding or their attorneys of record.

Dated May 22, 2002, at San Francisco, California.

/s/ KE HUANG

Ke Huang

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.